

07-26-04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/735,277	12/12/2003	William A. Gardner	GAR1756.17A4

CONFIRMATION NO. 3226

FORMALITIES LETTER



OC000000012178153

8156
 JOHN P. O'BANION
 O'BANION & RITCHIE LLP
 400 CAPITOL MALL SUITE 1550
 SACRAMENTO, CA 95814
 07/27/2004 HDEMESS1 00000007 10735277

02 FC:2001 385.00 OP
 03 FC:2051 65.00 OP

Date Mailed: 03/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: WILLIAM A. GARDNER, et al.
Serial No.: 10/735,277
Filed: DECEMBER 12, 2003
For: SYSTEMS, DEVICES AND METHODS FOR OPENING A BOTTLE SEALED WITH A STOPPER AND FOR SEALING A BOTTLE
Group: 3727
Examiner:
Docket No.: GAR1756.17A4

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

**SUBMISSION OF MISSING PARTS OF APPLICATION
UNDER 37 C.F.R. § 1.53
(SMALL ENTITY)**

Dear Sir:

In response to the Notice to File Missing Parts of Application (PTO-1533) mailed March 24, 2004, a copy of which is enclosed, please find the following documents which are incorporated by reference herein:

1. Check in the amount of \$450 (\$385 filing fees and \$65 surcharge for the fees due as a small entity).

The amount due for the filing fees and surcharge has been computed as follows:

CLAIMS AS FILED						
	Number filed		Number Extra		Rate	Basic Fee
Total					\$ 385	
Claims 37 CFR 1.16(c)	13 - 20	=	0 X	\$ 9 =		
Independent						
Claims (37 CFR 1.16(b))	2 - 3	=	0 X	\$43 =		
Multiple dependent claim(s), if any (37 CFR 1.16(d))			+ \$145	=		

Filing Fee Calculation	\$ 385
Surcharge	\$ 65
TOTAL FILING FEE	\$ 450

Small Entity Statement

Applicant qualifies as a small entity under 37 CFR 1.9 and 1.27

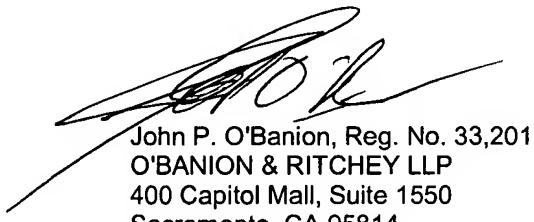
Amount already paid	LESS (\$ _____)
TOTAL FILING FEES DUE	\$ <u>450</u>
— Assignment recording fee	\$ <u>0</u>
— Petition fee	\$ <u>0</u>
TOTAL FEES DUE	\$ <u>450</u>

Please charge any additional fees due to deposit account no. 07-1137.

Having now complied with all of the requirements of 37 C.F.R. 1.53, the Applicants respectfully request that this application be placed upon the files for examination.

Dated: July 22, 2004.

Respectfully submitted,



John P. O'Banion, Reg. No. 33,201
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814
(916) 498-1010



CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that the foregoing:

Submission of Missing Parts of Application Under 37 CFR 1.53

is being deposited with the United States Postal Service on 7/22/04 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV352303067US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JOHN P. O'BANION

(Type or print name of person mailing paper)

A handwritten signature in black ink, appearing to read "John P. O'Banion".

(Signature of person mailing paper)



CERTIFICATION UNDER 37 CFR 1.10

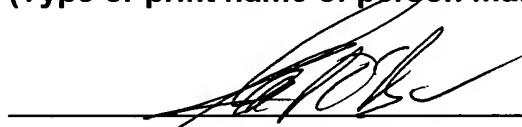
I hereby certify that the foregoing:

Notice to File Missing Parts of Nonprovisional Application

is being deposited with the United States Postal Service on 7/22/04 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV352303067US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JOHN P. O'BANION

(Type or print name of person mailing paper)


John P. O'Banion
(Signature of person mailing paper)